

## LAND USE APPLICATION SUMMARY

*Property Location:* 912 East 24<sup>th</sup> Street, 2301 Elliot Avenue South and 2218-20 10<sup>th</sup> Avenue South  
*Project Name:* Village Market  
*Prepared By:* Hilary Dvorak, Principal Planner, (612) 673-2639  
*Applicant:* Eagle Management, Omar Sabri  
*Project Contact:* DJR Architecture, Inc., Scott Nelson  
*Request:* To add approximately 8,800 square feet of floor area to an existing shopping center

*Required Applications:*

<b>Expansion of a Legal Nonconforming Use</b>	To add approximately 8,800 square feet of floor area to an existing shopping center in the II Light Industrial zoning district.
<b>Site Plan Review</b>	For an approximately 8,800 square feet addition to an existing building.

## SITE DATA

<b>Existing Zoning</b>	II Light Industrial District with IL Industrial Living Overlay District R2B Two Family District with TP Transitional Parking Overlay District
<b>Lot Area</b>	101,250 square feet / 2.35 acres
<b>Ward(s)</b>	6; adjacent to 9
<b>Neighborhood(s)</b>	Ventura Village; adjacent to Midtown Phillips
<b>Designated Future Land Use</b>	Transitional Industrial and Urban Neighborhood
<b>Land Use Features</b>	Community Corridor (Chicago Avenue, one block to the west)
<b>Small Area Plan(s)</b>	Not applicable

<b>Date Application Deemed Complete</b>	July 8, 2015	<b>Date Extension Letter Sent</b>	August 18, 2015	<b>Date Request for Extension of Time Limit Received</b>	September 11, 2015
<b>End of 60-Day Decision Period</b>	September 6, 2015	<b>End of 120-Day Decision Period</b>	November 5, 2015	<b>Time Limit Extended To</b>	December 31, 2015

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The property is located in south Minneapolis along East 24<sup>th</sup> Street. The property stretches between 10<sup>th</sup> Avenue South and Elliot Avenue South and occupies the southern portion of the block. The site is currently used as a shopping center with accessory surface parking. The applicant also owns the property located on the northeast corner of East 24<sup>th</sup> Street and 10<sup>th</sup> Avenue South. This property is used as a surface parking lot.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site is surrounded by residential properties and small-scale commercial uses. The site is located in the Ventura Village neighborhood and is adjacent to the Midtown Phillips neighborhood.

**PROJECT DESCRIPTION.** The applicant is proposing to construct an addition to the existing building. The addition would be constructed on the southeast corner of the site. A two-story addition would be constructed on the corner of East 24<sup>th</sup> Street and 10<sup>th</sup> Avenue South and a one-story addition would be constructed on the west and north sides of the existing Gulet Deli and Grocery to the rest of the building. In 2001, when the building was first converted from a manufacturing use to what it is today, it was determined that one of the uses within the building was a farmer's market per the Minneapolis Zoning Code. However, in June of 2006, as farmer's markets were becoming more popular in the City of Minneapolis, the City Council defined the use and established them as an open-air establishment. Given this change in policy, it has been determined that the use is now classified as a shopping center per the Minneapolis Zoning Code.

The property where the building and the proposed addition are located is zoned II Light Industrial District. Shopping centers are not allowed in the II zoning district therefore the applicant has applied for an expansion of a non-conforming use application. Site plan review is also required because of the size of the addition.

This development was discussed at the August 17, 2015, City Planning Commission hearing. At this meeting the project was continued to the September 21, 2015, City Planning Commission hearing. The City Planning Commission asked CPED staff and the applicant to explore the following ideas:

- Traffic issues, including looking at converting Elliot and 10<sup>th</sup> to one-way streets.
- TDMP strategies from the approved plan that need to be implemented.
- Street signs in various languages.
- Adding additional parking attendants and security personnel.
- Trash.
- Loitering.
- Public gathering space within the building.
- Redesign of the addition with storefront glass and doors on 24<sup>th</sup>.

This development was discussed at the September 10, 2015, City Planning Commission Committee of the Whole meeting. At this meeting, staff and the applicant provided a summary of what has happened since the original City Planning Commission meeting. One of those items included another traffic study that was done after the existing parking lot on the corner of East 24<sup>th</sup> Street and 10<sup>th</sup> Avenue South was closed to vehicles. The TDMP update is not yet complete. Given this, CPED is recommending that this item be continued to the October 19, 2015, City Planning Commission hearing.

**RELATED APPROVALS.** In March of 2001, the City Planning Commission approved a conditional use permit, parking variance and a site plan review application for a mixed-use building including an indoor farmer's market, a grocery store, food and beverage uses, offices, warehousing and light manufacturing space. The parking variance that was approved was from 138 spaces to 42 spaces.

In February of 2004, the City Planning Commission approved a rezoning application to add the TP Transitional Parking Overlay District to the parcels located at 1000 and 1010 East 24<sup>th</sup> Street and 2321 10<sup>th</sup> Avenue South, an amendment to the previously approved conditional use permit to convert the warehousing and light manufacturing space within the building into additional commercial space, a number of variances including a new parking variance and site plan review. The parking variance that was approved was from 244 spaces to 102 spaces where 96 spaces were already varied. The City Council approved the rezoning application in February of 2004.

In May of 2004, the City Council approved a rezoning application to add the TP Transitional Parking Overlay District to the parcel located at 2220 10<sup>th</sup> Avenue South. This allowed the parking lot for the building to be expanded onto this property.

In 2006, the City Council approved a zoning code text amendment that defined a farmers' market as an open-air establishment where primarily agricultural products such as raw vegetables, fruits, syrups, herbs, flowers, plants, nuts or handcrafted items are sold. It was at this time that the building became non-conforming.

In 2014, the applicant applied for an expansion of a legal nonconforming use application for an addition to the shopping center, a rezoning to add the TP Transitional Parking Overlay District to the parcel located at 2218 10<sup>th</sup> Avenue South to expand the parking lot for the shopping center, a conditional use permit to allow a parking lot in the TP Transitional Parking Overlay District and a site plan review application for the building addition and the expanded parking lot. In addition, a vacation of that portion of the alley that separated the property was also applied for and as part of the site plan review a new alley was proposed to be constructed out to 10<sup>th</sup> Avenue South. The Planning Commission denied the expansion of a legal nonconforming use application but approved all of the other applications to allow the modifications to the parking lot to move forward. The City Council also approved the rezoning and the alley vacation. The expansion of a legal nonconforming use application for an addition to the shopping center was denied based on the following factors:

1. The expansion could contribute to existing livability issues, including littering, loitering and property damage problems.
2. Nearby residents demonstrated evidence of significant traffic congestion and circulation impacts associated with the existing use, including bicycle and pedestrian safety problems caused by double-parking in public streets.
3. The applicant is lacking a completed Travel Demand Management Plan, which would potentially address the traffic and circulation problems demonstrated by nearby residents and that would address finding #3 in the application for expansion of a nonconforming use.

The applicant did not appeal the denial of the expansion of a legal nonconforming use application. Instead, the applicant hired a traffic consultant to complete a Travel Demand Management Plan (TDMP). The TDMP was approved by both the Department of Public Works and the Department of Community Planning and Economic Development in January of 2015. The applicant also reconstructed the parking

lot based on the approved site plan and the recommendations in the TDMP. The existing site is in conformance with the approved plan.

For this application, the applicant was asked to provide an addendum to the TDMP that documents the existing conditions and the level of effectiveness of those recommendations from the TDMP that were implemented. The addendum to the TDMP has been reviewed by both the Department of Public Works and the Department of Community Planning and Economic Development. Further recommendations in the addendum will be discussed later in this report.

Planning Case #	Application	Description	Action
C-2046 V-421 PR-575	Conditional Use Permit Variance Site Plan Review	To allow a mixed-use building including an indoor farmer's market, a grocery store, food and beverage uses, offices, warehousing and light manufacturing space.	Approved, 3/2001
BZZ-1015	Rezoning Amendment to the previously approved Conditional Use Permit Variances Site Plan Review	To convert the warehousing and light manufacturing space within the building into additional commercial space.	Approved, 2/27/2004
BZZ-1690	Rezoning application to add the TP Transitional Parking Overlay District	To allow the parking lot for the building to be expanded to 2220 10 <sup>th</sup> Avenue South.	Approved, 5/28/2004
BZZ-6475	Expansion of a Legal Nonconforming Use	To add approximately 8,805 square feet of floor area to an existing shopping center in the II Light Industrial zoning district	Denied, 7/18/2014
	Rezoning	To add the TP Transitional Parking Overlay District to the property located at 2218 10 <sup>th</sup> Avenue South	Approved, 7/18/2014
	Conditional Use Permit	For a parking lot in the TP Overlay	Approved, 7/18/2014

	Site Plan Review	For a 8,805 square foot addition to an existing shopping center and an expansion of the surface parking lot	Approved changes to the parking lot only, 7/18/2014
Vac-1614	Vacating part of the alley partly dedicated in Block 2, Chicago Avenue 2nd Addition, and partly deeded in said addition, bounded by 10th Ave. S., Elliot Ave. S., and 24th St. E.		Approved, 7/18/2014

**PUBLIC COMMENTS.** Public comments have been submitted regarding the project. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission continue the application(s) by Eagle Management for the properties located at 912 East 24<sup>th</sup> Street, 2301 Elliot Avenue South and 2218-20 10<sup>th</sup> Avenue South:

**A. Expansion of a Nonconforming Use.**

Recommended motion: **Continue** the application to add approximately 8,800 square feet of floor area to an existing shopping center in the II Light Industrial zoning district, to the October 19, 2015, City Planning Commission meeting.

**B. Site Plan Review for an addition to an existing commercial building.**

Recommended motion: **Continue** the application for an 8,800 square foot addition to an existing building, to the October 19, 2015, City Planning Commission meeting.